

REMARKS/DISCUSSION OF ISSUES

Applicants thank the Examiner for acceptance of the corrected drawings.

Claims 1-9 are pending in the application. Claims 1-9 are rejected.

Claims 1-9 stand finally rejected under 35 USC 103(a) as being unpatentable over Nelson in view of Rajaram.

In response to Applicant's previous arguments, the Examiner has pointed out that neither Applicant's specification nor the claims are limited to a protective sleeve composed exclusively of neodymium.

The Examiner is correct in this assertion. Claim 1 only requires that the sleeve comprise neodymium. However, Rajaram, the only cited reference which mentions neodymium, lists it in a group of 30 possible additives or dopants to silica glass. Rajaram provides no teaching or suggestion which would enable the skilled artisan to choose neodymium over any of the others.

In fact, Rajaram mentions yttrium and cesium as preferred additives.

Moreover, Rajaram teaches that the additives may be in the form of oxides, whereas Applicant calls for neodymium as such, i.e., in its elemental form, not in the form of a compound such

as an oxide. Moreover, Rajaram teaches that the additives may be added in various combinations.

The purpose of Rajaram's product, i.e., silica glass doped with any of the enumerated additives, elementally or in the form of oxides, singly or in combination, is in any application in which sodium diffusion or electrical resistivity is a problem.

All of the above teachings are in conflict with Applicant's invention, which is to employ neodymium as or in a protective sleeve for an arc tube in order to transmit mostly red colors, resulting in a product with a much larger and improved CRI when compared to conventional lamps with conventional sleeves that are devoid of neodymium.

There is simply no motivation provided to the skilled artisan by Rajaram to choose neodymium in its elemental form for use in a protective sleeve to improve CRI of an arc tube, except with the aid of hindsight gained from Applicant's own teachings. Such hindsight is not permitted in judging obviousness under Section 103.

Accordingly, it is urged that the rejection is in error and should be withdrawn.

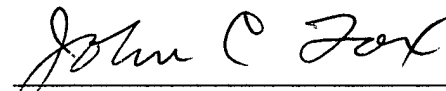
In view of the foregoing, Applicant respectfully requests that the Examiner withdraw the rejection of record, allow all

Amendment/Response

Reply to FINAL Office action of 26 August 2003

of the pending claims, and find the application to be in  
condition for allowance.

Respectfully submitted,

A handwritten signature in cursive script that reads "John C. Fox".

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